

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 30-39 are pending.

Claims 30-39 are identical to original claims 1-4, 14-17, 22, and 29, respectively, with the exception that claims 22 and 29 are reordered as claims 38 and 39 due to dependency. These claims are restored to their original state prior to the amendment filed June 22, 2004. The claims are represented and renumbered for clarity purposes.

Applicant thanks the Examiner for the detailed analysis presented in the Office Action.

37 C.F.R. § 131 Declaration

Applicant submits herewith a Declaration under 37 C.F.R. §1.131 and supporting documentation to evidence that the invention was conceived in the United States prior to July 1999, which predates both the Dougherty reference (7/1/1999) and the Authority reference (8/1/1999). Accordingly, the Dougherty and Authority references should be removed as they are not prior art.

35 U.S.C. § 103

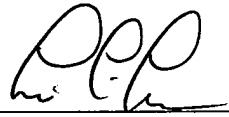
In the Final Action, claims 1, 3, 4, 14, 16, 17, 22, and 29 were rejected under 35 U.S.C. § 103 as being unpatentable over Dougherty, in view of Authority and further in view of Bayeh et al. (US 6,012,098). Applicant respectfully traverses the rejection in view of the 131 Declaration, which removes both the Dougherty and Authority references. Accordingly, the §103 rejection should be withdrawn.

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2 **Conclusion**

3 Claims 30-39 are in condition for allowance. Applicant respectfully
4 requests reconsideration and prompt allowance of the subject application. If any
5 issue remains unresolved that would prevent allowance of this case, the Examiner
6 is requested to contact the undersigned attorney to resolve the issue.

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9 Date: Jan. 27, 2005

Respectfully Submitted,

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